

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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ARTHUR TERRY WALTERS,

Plaintiff,

v.

THE VENETIAN RESORT HOTEL AND  
CASINO, et al.,

Defendants.

Case No. 2:15-cv-00431-APG-VCF

**ORDER AFFIRMING MAGISTRATE  
JUDGE'S REPORT &  
RECOMMENDATION AND DENYING  
EMERGENCY MOTIONS**

(Dkt. ## 20, 22, 23, 25)

This is a lawsuit brought by *pro se* plaintiff Arthur Terry Walters against the Venetian Resort Hotel & Casino.

On June 2, 2015, Magistrate Judge Ferenbach issued a Report & Recommendation recommending that I dismiss Walters' complaint. (Dkt. #20.) Walters did not object to Judge Ferenbach's Report and the time to do so has passed. *See* LR IB 3-1, 3-2. I am not required to conduct "any review at all . . . of any issue that is not the subject of an objection." *Thomas v. Arn*, 474 U.S. 140, 149 (1985). The Ninth Circuit has confirmed that a district court is not required to review a magistrate judge's report and recommendation where no objection has been filed. *See United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) ("[T]he district judge must review the magistrate judge's findings and recommendations de novo if objection is made, but not otherwise."). Although not required to, I have conducted a de novo review of Judge Ferenbach's Order and affirm it in its entirety.

Judge Ferenbach recommends that I dismiss because Walters has not paid his filing fees. In a prior Order, the Court ordered Walters to pay his filing fees by April 2, 2015. (Dkt. #5.) That Order advised Walters that if he failed to pay his filing fees by the deadline his case may be dismissed. (*Id.*) Two months later Walters has still not paid his fees. His case will be dismissed.

Walters recently filed three emergency motions. (Dkt. ## 22, 23, 25.) Each is unintelligible. They contain a flurry of brackets and legalese that Walters appears to have chosen

1 at random. These motions fail to satisfy numerous requirements under the local rules for  
2 emergency motions. There is no explanation of the emergency nature of the motions. *See* L.R. 7-  
3 5(d) (requiring emergency motions to include, among other things, an explanation of the  
4 emergency). And they fail to include points and authorities. *See* L.R. 7-2(d) (explaining that  
5 failure to file points and authorities constitutes consent to a denial). Walters' emergency motions  
6 are therefore denied.

7 IT IS THEREFORE ORDERED that plaintiff's motions (Dkt. ## 22, 23, 25) are DENIED.

8 IT IS FURTHER ORDERED that Magistrate Judge Ferenbach's Report &  
9 Recommendation (Dkt. #20) is accepted in its entirety and plaintiff's case is dismissed.

10 The Clerk of the Court shall enter judgment accordingly and close this case.

11 DATED THIS 29<sup>th</sup> day of June, 2015.

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15 ANDREW P. GORDON  
16 UNITED STATES DISTRICT JUDGE  
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